GOVERNMENT OF MYSORE.

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT (LABOUR)

Labour Dispute :—Industrial Dispute between the Workmen and the Management of Volkart Brothers, Coffee Curing Works, Bunder, Mangalore.

Award of the Industrial Tribunal, Bangalore—Published.

Read the following Papers :—

1. Letter No. I.T. 1592-3/66-67, dated 1st December 1967, from Shri A. Panchakshariah, Presiding Officer, Industrial Tribunal, Bangalore.

BEFORE THE INDUSTRIAL TRIBUNAL IN MYSORE, BANGALORE.

Dated 1st December 1967.

Present

Sri A. Panchakshariah, B.A. (Hons.), LL.B. ... Presiding Officer.

I.D. No. 114 of 1966.

The Workmen of M/s. Volkart Brothers, Mangalore ... *I Party.*

Vs.

The Management of M/s. Volkart Brothers, Mangalore ... *II Party.*

Appearances.

For the I Party.—Sri P. S. Tellicharkar, Secretary, S.K.C. and C. Workers' Union, Mangalore.

For the II Party.—Sri K. Sashidhar Rao, President, The General Managements' Association, Mangalore.

ORDER.

(G. O. No. LMA 50 LLD 66, dated 23rd May 1966).

AWARD.

The present dispute is between the Workmen and the Management of M/s. Volkart Brothers, Coffee Curing Works, H.O., Bunder, Mangalore. This is in relation to the workers having claimed 20 per cent of the gross earning of each worker as bonus for the year 1964-65. The Government of Mysore have referred this dispute under Section 10(1) (d) of the Industrial Disputes Act, 1947, by their Order No. LMA 50 LLD 66, dated 23rd May 1966. The same was registered as I.D. 114 of 1966. The workmen filed a claim statement on 11th June 1966 through the Secretary, S. K. Cashew and Coffee Workers' Union, Maidan cross Road, Mangalore-1. In the course of the claim statement, the workmen contended that the II Party had to pay 20 per cent of the gross earnings of each worker as bonus for the year 1964-65, but the management has distributed bonus at the rate of 8 1/3% of the gross earnings of each worker as bonus for the year 1964-65. Therefore, the I Party-workmen have put in a claim for 20 per cent of the earnings of each worker to be paid as bonus for the year 1964-65.

2. As against this, the II Party has filed a rejoinder on 4th July 1966 through the Management of the II Party. Several contentions have been taken by the II Party and the II Party contends that the I Party workmen are not entitled to claim 20 per cent of the gross earnings of each worker as bonus for the year 1964-65. There are other contentions also taken up by the II Party in the the course of the rejoinder statement. On the basis of these pleadings, several issues have been framed by me and Issues Nos. 2, 6 and 7 were heard as preliminary issues and the finding given by this Tribunal was in favour of the I Party-workmen. By my finding dated 4th February 1967, the objections raised by the II Party in this behalf were over-ruled and the case was ordered to be proceeded with on merits on other issues.

3. On 1st December 1967, the I Party has sent a Memo by post dated 28th November 1967 signed by Mr. P. S. Tellicharkar, Secretary, for South Kanara Coffee and Cardamom Workers' Union, Mangalore, on behalf of the I Party to say that a settlement has been arrived at between the I Party and the II Party and that the I Party is not pressing the claim for bonus at the rate of 20 per cent. The Memo says that the I Party Union in consideration of the bonus paid to the workmen by the II Party and an

agreed by the II Party to pay its workmen bonus at 10 per cent of the gross earnings of each worker for the year 1966-67, the dispute in question no longer survives and therefore, it is not pressed. An award is requested to be passed in terms of this Memo. This memo has not been signed by the II Party so as to bind the II Party with regard to the bonus for the subsequent years, *viz.*, 1965-66 and 1966-67, but any way, the subject matter of the dispute in the order of reference is only for the year 1964-65 and the workmen do not press for the year 1964-65. In the result, I pass an award rejecting the reference as requested by the I Party. Under the circumstances of the case, each Party will bear its own costs.

A. PANCHAKSHARIAH,

Presiding Officer,
Industrial Tribunal Bangalore.

ORDER

Bangalore, dated 7th December 1967.

S. O. 2382.—WHEREAS by State Government Order No. LMA 50 LLD 66, dated 23rd May 1966, the Industrial Dispute between the Workmen and the Management of Volkart Brothers, Coffee Curing Works, Bunder, Mangalore, was referred to the Industrial Tribunal, Bangalore for adjudication.

AND WHEREAS the Industrial Tribunal Bangalore has submitted to the State Government its award in respect of the said Industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said award as above in the *Mysore Gazette*.

[No. LMA 50 LLD 66]

By Order and in the name of the Governor of Mysore

1625 G. G. PUROHIT, *Under Secy.*